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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,793

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04/29/2009

EXAMINER

MANCHO, RONNIE M

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

04/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/762,793	Applicant(s) YOKOTA, TATSUO	
	Examiner RONNIE MANCHO	Art Unit 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,7-17,20 and 22-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,7-17,20 and 22-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/12/09 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5, 7-17, 20, 22-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chu et al (6233204) in view of DeLorme et al (5948040).

Regarding claim 1, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose a display method for a navigation system, comprising the steps of:

examining a position of a destination and monitoring a current position of a user during a travel to the destination where the current position is away from the destination (current and destination positions are examined on the map by user; col. 1, lines 14-19; col. 8, lines 33-37);

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retrieving information on time zones and observation of daylight saving time at the current user position and the destination (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43);

calculating an estimated time of arrival (ETA) at the destination based on a local time of the destination and observation of daylight saving time of the destination using the retrieved information (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43); and

displaying the ETA expressed by the local time of the destination and a current time, thereby informing the user of the ETA at the destination and the current time (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) at the current position.

Chu et al disclose ETA at a local destination based on local time and also converting times between locations and between time zones using a navigation system. Chin et al do not particularly disclose business operating hours, a POI database, and comparing the ETA at the destination POI and the business hour information.

However, DeLorme et al teach of a display method for a navigation apparatus, comprising the steps of:

specifying a destination POIs (points of interest) by selecting a POI from a POI database (col. 59, lines 35-52) of a navigation system or from a remote service provider;

retrieving business hour information of the destination POI (see col. 41, lines 48-59; col. 22, lines 19-37); and

comparing the ETA at the destination POI and the business hour information (col. 54, lines 21-56) and informing an estimated open/close state of the destination POI at the time of arrival at the destination expressed by the local time (col. 54, lines 21-56).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chu as taught by DeLorme for the purpose of effectively scheduling and presenting information on attending a scheduled POI or Event Of Interest (EOI).

Regarding claim 2, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display method for a navigation system as defined in claim 1, wherein said current time informed by the navigation system is produced based on a local time and daylight saving time in a time zone at the current user position or on a local time and daylight saving time in a time zone of a home state of the user (col. 6, lines 33-49; col. 18, lines 5-49).

Regarding claim 5, DeLorme et al (col. 54, lines 21-56) disclose the display method for a navigation system as defined in claim 1, wherein said step of retrieving business hour information of the destination POI includes a step of retrieving business hour information (see col. 41, lines 48-59; col. 22, lines 19-37) of other POIs in a neighborhood of the destination POI (col. 54, lines 21-56; col. 55, lines 20-50), and said step of informing the business hour of the destination POI includes a step of displaying (col. 55, lines 30-35) the business hours of other POIs .

Regarding claim 7, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display method for a navigation system as defined in claim 1, wherein:

said step of specifying the destination POI includes a step of specifying a type or name of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider (col. 54, lines 21-56; col. 55, lines 20-50); and

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said step of retrieving the business hour information includes the step of retrieving the business hour information of the destination POIs and other POIs from the POI database or from a remote service provider through a wireless communication (col. 54, lines 21-56; col. 55, lines 20-50).

Regarding claim 8, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display method for a navigation system as defined in claim 1, further comprising:

listing the specified type of POIs sorted by distance from a reference location (see “nearby” or “local geo area”, col. 41, lines 48-59; col. 22, lines 19-37) or the destination wherein each POI in the list is accompanied by an estimated remaining business hour at a time of arrival at the destination (col. 54, lines 21-56).

Regarding claim 9, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display method for a navigation system as defined in claim 8, wherein the estimated remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by availability icons (col. 22, lines 19-37) using predetermined shapes or colors.

Regarding claim 10, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display method for a navigation system as defined in claim 1, further comprising a step of:

listing the specified type of POIs in the neighborhood area of the destination sorted by degrees of remaining business hour at a time of arrival at the destination (col. 54, lines 21-56).

Regarding claim 11, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display method for a navigation system as defined in claim 10, wherein the degrees of remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by time length icons (col. 22, lines 19-37) using predetermined shapes or colors.

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Regarding claim 12, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display method for a navigation system as defined in claim 1, further comprising a step of indicating a change of time zone when the current position is at a border or near the boarder of two or more different time zones.

Regarding claim 13, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display method for a navigation system as defined in claim 12, wherein said step of indicating the time zone change includes a step of displaying the time zone change on a screen of the navigation system, or both displaying and voice announcing the time zone change.

Regarding claim 14, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display method for a navigation system as defined in claim 12, wherein said step of indicating the time zone change is conducted without regard to whether the navigation system is in a route guidance mode for guiding the user to the destination or a mode other than the route guidance mode.

Regarding claim 15, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display method for a navigation system as defined in claim 1, wherein said step of calculating the ETA includes the steps of:

calculating the ETA based on a local time at the destination if the destination belongs to a time zone different from the time zone at the current user position (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43);

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calculating the ETA based on a local time at the current user position if the destination belongs to the same time zone as the time zone at the current user position (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43); and

compensating the ETA for a difference of daylight saving time when the daylight saving time is applied to either the destination or the current user position (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43).

Regarding claim 16, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose a display apparatus for a navigation system, comprising:

means for examining a position of a destination and monitoring a current position of a user during a travel to the destination where the current position is away from the destination (current and destination positions are examined on the map by user; col. 1, lines 14-19; col. 8, lines 33-37);

means for retrieving information on time zones and observation of daylight saving time at the current user position and the destination (Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43);

means for calculating an estimated time of arrival (ETA) at the destination based on a local time of the destination and observation of the daylight saving time of the destination using the retrieved information (Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43); and

means for displaying the ETA expressed by the local time of the destination and a current time, thereby informing the user of the ETA at the destination and the current time (col. 18, lines 5-49) at the current position.

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Chu et al do not particularly disclose business operating hours, a POI database, and comparing the ETA at the destination POI and the business hour information.

However, DeLorme et al teach of a display apparatus for a navigation system, comprising:

means for specifying a destination POIs (points of interest) by selecting a POI from a POI database (col. 59, lines 35-52) of a navigation system or from a remote service provider;

means for retrieving business hour information of the destination POI (see col. 41, lines 48-59; col. 22, lines 19-37); and

means for comparing the ETA at the destination POI and the business hour information (col. 54, lines 21-56) and informing an estimated open/close state of the destination POI at the time of arrival at the destination expressed by the local time (col. 54, lines 21-56).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chu as taught by DeLorme for the purpose of effectively scheduling and presenting information on attending a scheduled POI or Event Of Interest (EOI).

Regarding claim 17, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display apparatus for a navigation system as defined in claim 16, wherein said current time informed by the navigation system is produced based on a local time and daylight saving time in a time zone at the current user position or on a local time and daylight saving time in a time zone of a home state of the user.

Regarding claim 20, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display apparatus for a navigation system as defined in claim 16, said means for retrieving business hour information of the destination POI includes means for retrieving

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business hour information (see col. 41, lines 48-59; col. 22, lines 19-37) of other POIs in a neighborhood of the destination POI (col. 54, lines 21-56; col. 55, lines 20-50), and said means for informing the business hour of the destination includes means for displaying (col. 55, lines 30-35) the business hours of the other POIs.

Regarding claim 22, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display apparatus for a navigation system as defined in claim 16, wherein:

said means for specifying the destination POI includes a step of specifying a type or name of POIs (points of interest) in a neighborhood area of the destination from a POI database of the navigation system or from a remote service provider (col. 54, lines 21-56; col. 55, lines 20-50); and

said means for retrieving the business hour information includes the step of retrieving the business hour information of the destination POIs and other POIs from the POI database or from a remote service provider through a wireless communication (col. 54, lines 21-56; col. 55, lines 20-50).

Regarding claim 23, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for listing the specified type of POIs sorted by distance from a reference location (see “nearby” or “local geo area”, col. 41, lines 48-59; col. 22, lines 19-37) or the destination wherein each POI in the list is accompanied by an estimated remaining business hour at a time of arrival at the destination (col. 54, lines 21-56).

Regarding claim 24, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display apparatus for a navigation system as defined in claim 23, wherein the

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estimated remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by availability icons (col. 22, lines 19-37) using predetermined shapes or colors.

Regarding claim 25, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display apparatus for a navigation system as defined in claim 16, further comprising:

means for listing the specified type of POIs in the neighborhood area of the destination sorted by degrees of remaining business hour at a time of arrival at the destination (col. 54, lines 21-56).

Regarding claim 26, DeLorme et al (see col. 41, lines 48-59; col. 22, lines 19-37) disclose the display apparatus for a navigation system as defined in claim 25, wherein the degrees of remaining business hours of the POIs in the neighborhood area of the destination are classified and displayed by time length icons (col. 22, lines 19-37) using predetermined shapes or colors.

Regarding claim 27, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display apparatus for a navigation system as defined in claim 16, further comprising means for indicating a change of time zone when the current position is at a border or near the boarder of two or more different time zones (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43).

Regarding claim 28, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display apparatus for a navigation system as defined in claim 27, wherein said means for indicating the time zone change includes means for displaying the time zone change on a screen of the navigation device (fig. 1), or both displaying and voice announcing the time zone change.

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Regarding claim 29, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display apparatus for a navigation system as defined in claim 27, wherein said means for indicating the time zone change is conducted without regard to whether the navigation system is in a route guidance mode for guiding the user to the destination or a mode other than the route guidance mode (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43).

Regarding claim 30, Chu et al (abstract, Figs. 1&10; col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43) disclose the display apparatus for a navigation system as defined in claim 16, wherein said step of calculating the ETA includes:

means for calculating the ETA based on a local time at the destination if the destination belongs to a time zone different from the time zone at the current user position (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43);

means for calculating the ETA based on a local time at the current user position if the destination belongs to the same time zone as the time zone at the current user position (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43); and

means for compensating the ETA for a difference of daylight saving time when the daylight saving time is applied to either the destination or the current user position (col. 1, lines 1-19; col. 2, lines 43-50; col. 8, lines 11-43).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 2, 4-7-17, 19-30 have been considered but are moot in view of the new ground(s) of rejection.

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Communication

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RONNIE MANCHO whose telephone number is (571)272-6984. The examiner can normally be reached on Mon-Thurs: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Khoi can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ronnie Mancho
Examiner
Art Unit 3664

4/24/2009

/KHOI TRAN/
Supervisory Patent Examiner, Art Unit 3664